

Attorney Docket No. 2300-1357.10 (PP01357.124)

PATENT

Express Mail Label No.: EL 985 780 318 US

Date of Deposit: 8/19/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of SEID

Serial No.: DIV of 08/908,262

Examiner: Unassigned

Confirmation No.:

Art Unit: Unassigned

Filed: On even date

For: NEISSERA MENINGITIDIS SEROGROUP B GLYCOCONJUGATES AND
METHODS OF USING THE SAME

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.
§§1.97 and 1.98.

- ☐ Pursuant to 37 C.F.R. §1.98, a copy of each document cited in the attached Form PTO/SB/08 is enclosed.
- ☒ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. 08/908,262 to which the above-identified application claims priority under 35 U.S.C. §120.
- ☐ Publication(s) _____ listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to _____ application serial no. _____ and mailed on _____.
- ☐ Enclosed is a copy of a non-English publication(s) _____. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).

- ☐ Enclosed is a copy of a non-English publication(s) _____. English language publication ____ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) ____ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) ____ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. _____.

This Information Disclosure Statement is filed with the herein divisional application.

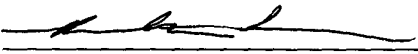
It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: 8/19/03

Respectfully submitted,

Robins & Pasternak LLP
1731 Embarcadero Road, Suite 230
Palo Alto, CA 94303
Tel: (650) 493-3400
Fax: (650) 493-3440

By:


Roberta L. Robins
Reg. No. 33,208

Please type a plus sign (+) inside this box ➡

+

PTO/SB/08A (08-00)

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	DIV of 08/908,262
				Filing Date	August 7, 1997
				First Named Inventor	SEID
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	1	of	5	Attorney Docket Number	2300-1357.10 (PP01357.124)

[illegible]

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)			
	B1	EP	0 208 375			01-14-1987	
	B2	EP	0 497 525			08-05-1992	
	B3	EP	0 504 202	B1		05-03-1995	
	B4	WO	91/08772			06-27-1991	
	B5	WO	96/14086			05-17-1996	
	B6	WO	96/40225			12-19-1996	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

[†] Unique citation designation number.

² See attached Kinds of U.S. Patent Documents.

³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

⁶ Applicant is to place a check mark here if English language Translation is attached.

Please type a plus sign (+) inside this box →

+

PTO/SB/08A (08-00)

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	DIV of 08/908,262
				Filing Date	August 7, 1997
				First Named Inventor	SEID
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	2	of	5	Attorney Docket Number	2300-1357.10 (PP01357.124)

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	C1	ALA'ALDEEN, "Vaccines against Neisseria Meningitidis: past, present and future," <i>Biotechnologia Applicada</i> 13:1-7, 1996		
	C2	ANDERSON et al., <i>J. Immunol.</i> 142:2464-2468, 1989		
	C3	ASHWELL et al., <i>Anal. Biochem.</i> 222:495-502, 1994		
	C4	BARTOLONI et al., "Murine monoclonal antibodies to an N-propionylated meningococcal B polysaccharide exhibit heterogeneity with respect to cross-reactivity with N-acetylated meningococcal B polysaccharide and autoreactivity to host polysialylated glycoproteins,"		
	C5	BAUMANN et al., <i>Biochemistry</i> 32:4007-4013, 1993		
	C6	BOYER et al., <i>Ped. Infect. Dis. J.</i> 12:779-780, 1993		
	C7	BRISSON et al., "Helical epitope of the group B meningococcal $\alpha(2-8)$ -linked sialic acid polysaccharide," <i>Biochemistry</i> 31:4996-5004, 1992		
	C8	COSTANTINO et al., <i>Vaccine</i> 10:691-698, 1992		
	C9	DEVI et al., <i>Infect. Immun.</i> 59:732-736, 1991		
	C10	EGAN et al., <i>J. Am. Med. Assoc.</i> 273:888-889, 1995		
	C11	FRASCH, "Meningococcal vaccines: past, present and future," in <i>Meningococcal Disease</i> (edited by Keith Cartwright 1995) pp. 245-283, 1995		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.

² Applicant is to place a check mark here if English language Translation attached.

Please type a plus sign (+) inside this box →



PTO/SB/08A (08-00)

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				<i>Complete if Known</i>	
				Application Number	DIV of 08/908,262
				Filing Date	August 7, 1997
				First Named Inventor	SEID
				Group Art Unit	Unassigned
Examiner Name	Unassigned				
Sheet	3	of	5	Attorney Docket Number	2300-1357.10 (PP01357.124)

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	C12	GARNER et al., <i>Contrib. Microbiol. Immunol.</i> 10:11-17, 1989		
	C13	HALLENBECK et al., <i>J. Biol. Chem.</i> 262:3553-3561, 1987		
	C14	JENNINGS et al., "Unique intermolecular bactericidal epitope involving the homosalopolysaccharide capsule on the cell surface of group B Neisseria Meningitidis and Escherichia Coli K1," <i>J. Immunology</i> 142(10):3585-3591, 1989		
	C15	JENNINGS et al., "Induction of Meningococcal group B polysaccharide-specific IgG antibodies in mice by using a N-propionylated B polysaccharide-tetanus toxoid conjugate vaccine," <i>J. Immunology</i> 137(5):1708-1713, 1986		
	C16	JENNINGS et al., "The capsular polysaccharide of group B Neisseria Meningitidis as a vehicle for vaccine development," <i>Contrib. Microbiol. Immunol. Basel, Karger</i> 10:151-165, 1989		
	C17	JENNINGS et al., "Immunochemistry of groups A, B, and C Meningococcal polysaccharide-tetanus toxoid conjugates," <i>J. Immunology</i> 127(3):1011-1018, 1981		
	C18	JENNINGS et al., in <i>Neoglycoconjugates: Preparation and Applications</i> , Y.C. Lee et al. (Ed.) Academic Press, London, pp. 325-371, 1994		
	C19	JENNINGS et al., "N-propionylated group B Meningococcal polysaccharide mimics a unique epitope on group B Neisseria Meningitidis," <i>J. Exp. Med.</i> 165:1207-1211, 1987		
	C20	JENNINGS et al., "Polysialic acid vaccines against Meningitis caused by Neisseria Meningitidis and Escherichia Coli K1," <i>Polysialic Acid</i> , pp. 25-38, 1993		
	C21	JENNINGS et al., <i>J. Immunol.</i> 134:2651-2657, 1985		
	C22	KITAZUME et al., <i>Anal. Biochem.</i> 202:25-34, 1992		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.

² Applicant is to place a check mark here if English language Translation attached.

Please type a plus sign (+) inside this box →



PTO/SB/08A (08-00)

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				Complete if Known	
				Application Number	DIV of 08/908,262
				Filing Date	August 7, 1997
				First Named Inventor	SEID
				Group Art Unit	Unassigned
				Examiner Name	Unassigned
Sheet	4	of	5	Attorney Docket Number	2300-1357.10 (PP01357.124)

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	C23	LIFELY et al., Carbohydr. Res. 156:123-135 (abstract), 1986		
	C24	LIVINGSTON et al., <i>J. Biol. Chem.</i> 263:9443-9448, 1988		
	C25	MANDRELL et al., "Complement-mediated bactericidal activity of human antibodies to poly α2->8 N-acetylneuraminic acid, the capsular polysaccharide of Neisseria Meningitidis serogroup B," <i>J. Infectious Diseases</i> 172:1279-1289, 1995		
	C26	MICHON et al., "Conformational differences between linear α(2->8)-linked homosialooligosaccharides and the epitope of the group B Meningococcal polysaccharide," <i>Biochemistry</i> 26:8399-8405, 1987		
	C27	PAOLETTI et al., <i>J. Biol. Chem.</i> 265:18278-18283, 1990		
	C28	PAOLETTI et al., <i>J. Clin. Invest.</i> 89:203-209, 1992		
	C29	PON et al., <i>J. Exp. Med.</i> 185:1929-1938, 1997		
	C30	POOLMAN, "Development of a Meningococcal vaccine," <i>Infectious Agents and Disease</i> 4:13-28, 1995		
	C31	PORRO et al., <i>Medecine Tropicale</i> 43:129-132, 1983		
	C32	ROY et al., <i>Glycoconjugate J.</i> 7:3-12, 1990		
	C33	SATO et al., <i>J. Biol. Chem.</i> 270:18923-18928, 1995		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number.

² Applicant is to place a check mark here if English language Translation attached.

